

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF

HAYNES et al

Atty. Ref.: 1579-548

Serial No.: 09/775,805

Group Art Unit: 1648

Filed: February 5, 2001

Examiner: Stucker, J.

For: HUMAN IMMUNODEFICIENCY VIRUS VACCINE

\* \* \* \* \*

STATEMENT UNDER 37 CFR 1.48(a)(1)

Hon. Commissioner of Patents  
and Trademarks  
Washington, DC 20231

Sir:

I, Norman Letvin, do hereby declare and state as follows.

1. I understand that the inventive entity set forth in U.S. Application No. 09/775,805 as originally filed is in error. I further understand that that I am being added as an inventor on U.S. Application No. 09/775,805.

2. The error in inventorship of U.S. Application No. 09/775,805 occurred without deceptive intention on my part.


I hereby declare that all statements made herein of our my knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false

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statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Further, declarant sayeth not.

Signed this 31<sup>st</sup> day of October, 2002.

  
Norman Letvin

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(Domestic Assigned) Page 1

**RULE 63 (37 C.F.R. 1.63)**  
**INVENTORS DECLARATION FOR PATENT APPLICATION**  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

As a below named inventor, I hereby declare that my residence, mailing address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**HUMAN IMMUNODEFICIENCY VIRUS VACCINE**

the specification of which (check applicable box(es)):

☐ is attached hereto

☒ was filed on February 5, 2001

as U.S. Application Serial No. 09/775,805

(Atty. Dkt. No. 1579-548)

☐ was filed as PCT International application No.

on

and (if applicable to U.S. or PCT application) was amended on

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose to the Patent Office all information known to me to be material to patentability as defined in 37 C.F.R. 1.56. I hereby claim foreign priority benefits under 35 U.S.C. 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed or, if no priority is claimed, before the filing date of this application:

Priority Foreign Application(s):

Application Number

Country

Day/Month/Year Filed

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

Application Number

Day/Month/Year Filed

I hereby claim the benefit under 35 U.S.C. 120/365 of all prior United States and PCT international applications listed above or below.

Prior U.S./PCT Application(s):

Application Serial No.

Day/Month/Year Filed

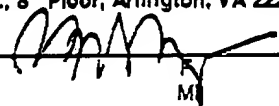
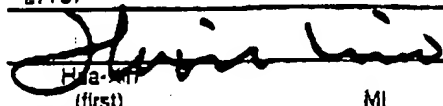
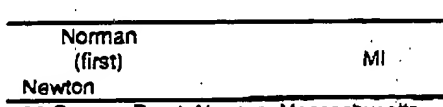
Status: patented  
pending, abandoned

09/497,497

04 February 2000

Pending

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. And on behalf of the owner(s) hereof, I hereby ask that all communications in this matter be directed to: NIXON & VANDERHYE P.C., 1100 North Glebe Rd., 8<sup>th</sup> Floor, Arlington, VA 22201-4714, telephone number (703) 816-4000.

1.	Inventor's Signature:			Date:	10-25-04
	Inventor:	Barton (first)	MI	Haynes (last)	U.S.A. (citizenship)
	Residence: (city)	Durham	(state/country)	North Carolina	
	Mailing Address:	3923 Wentworth Street, Durham, North Carolina			
	(Zip Code)	27707			
2.	Inventor's Signature:			Date:	10/25/07
	Inventor:	Hui-Liao (first)	MI	Liao (last)	Chinese (citizenship)
	Residence: (city)	Chapel Hill	(state/country)	North Carolina	
	Mailing Address:	200 Pebble Springs Road, Chapel Hill, North Carolina			
	(Zip Code)	27514			
3.	Inventor's Signature:			Date:	
	Inventor:	Norman (first)	MI	Letvin (last)	U.S.A. (citizenship)
	Residence: (city)	Newton	(state/country)	Massachusetts	
	Mailing Address:	36 Bracket Road, Newton, Massachusetts			
	(Zip Code)	02458			

FOR ADDITIONAL INVENTORS, check box ☐ and attach sheet with same information and signature and date for each.

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(Domestic Assigned) Page 1

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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**HUMAN IMMUNODEFICIENCY VIRUS VACCINE**

the specification of which (check applicable box(es)):

☐ is attached hereto  
☒ was filed on February 5, 2001 as U.S. Application Serial No. 09/775,805 (Atty. Dkt. No. 1579-548)  
☐ was filed as PCT International application No. \_\_\_\_\_ on \_\_\_\_\_  
 and (if applicable to U.S. or PCT application) was amended on \_\_\_\_\_

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose to the Patent Office all information known to me to be material to patentability as defined in 37 C.F.R. 1.56. I hereby claim foreign priority benefits under 35 U.S.C. 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed or, if no priority is claimed, before the filing date of this application:

Priority Foreign Application(s):

Application Number

Country

Day/Month/Year Filed

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

Application Number

Day/Month/Year Filed

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Prior U.S./PCT Application(s):

Day/Month/Year Filed

Status: patented  
pending, abandoned

Application Serial No.

09/497,497

04 February 2000

Pending

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. And on behalf of the owner(s) hereof, I hereby ask that all communications in this matter be directed to: NIXON & VANDERHYE P.C., 1100 North Glebe Rd., 8<sup>th</sup> Floor, Arlington, VA 22201-4714, telephone number (703) 816-4000.

1.	Inventor's Signature: _____	Date: _____
	Inventor: <u>Barton</u> <u>F.</u> <u>Haynes</u> (first) (MI) (last) (citizenship) <u>Durham</u> (state/country) <u>North Carolina</u> Residence: (city) Mailing Address: <u>3923 Wentworth Street, Durham, North Carolina</u> (Zip Code) <u>27707</u>	
2.	Inventor's Signature: _____	Date: _____
	Inventor: <u>Hua-Xin</u> <u></u> <u>Liao</u> (first) (MI) (last) (citizenship) <u>Chapel Hill</u> (state/country) <u>North Carolina</u> Residence: (city) Mailing Address: <u>200 Pebble Springs Road, Chapel Hill, North Carolina</u> (Zip Code) <u>27514</u>	
3.	Inventor's Signature: _____	Date: <u>10/31/02</u>
	Inventor: <u>Norman</u> <u></u> <u>Lervin</u> (first) (MI) (last) (citizenship) <u>Newton</u> (state/country) <u>Massachusetts</u> Residence: (city) Mailing Address: <u>36 Bracket Road, Newton, Massachusetts</u> (Zip Code) <u>02458</u>	

FOR ADDITIONAL INVENTORS, check box ☐ and attach sheet with same information and signature and date for each.

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Examiner: Stucker, J.

For: HUMAN IMMUNODEFICIENCY VIRUS VACCINE

\* \* \* \* \*

**CONSENT OF ASSIGNEE**

Hon. Commissioner of Patents  
and Trademarks  
Washington, DC 20231

Sir:

I, Robert L. Taber, do hereby declare and  
state as follows:

1. DUKE UNIVERSITY (hereinafter "Assignee") is presently,  
assignee of all right, title and interest in the invention of  
the above application by virtue of an assignment of the  
application to DUKE UNIVERSITY, which was recorded on April 11,  
2001, at reel 011684, frame 0117. Assignee has reviewed the  
evidentiary documents for the aforesaid chain of title and  
hereby certifies that, to the best of assignee's knowledge and  
belief, title is in DUKE UNIVERSITY, by virtue of the above-  
noted assignment.

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2. Assignee has reviewed the Statement of Norman Letvin submitted concurrently herewith and understands its content.


3. Assignee consents to the addition Norman Letvin to the inventorship of this application.

4. I am empowered to act on behalf of DUKE UNIVERSITY.

I hereby declare that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Further, declarant sayeth not.

Signed this 23rd day of October, 2002.

  
Name: Robert L. Taber  
Title: Vice Chancellor of Science & Technology  
DUKE UNIVERSITY Development